

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING THE SPRING HILL MANOR MUNICIPAL  
PROPERTY OWNERS' SEWER IMPROVEMENT DISTRICT  
NO. \_\_\_\_ OF BRYANT, ARKANSAS;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, an individual, claiming to be the sole owner of record title of real property located within the territory hereinafter described has filed a petition on the first day of June, 2020, praying that a municipal property owners improvement district be established pursuant to Ark. Code Ann. Title 14, Chapter 94 for the purposes herein set out, and

WHEREAS, the City Council of the City of Bryant, Arkansas has authority to create such a municipal property owners improvement district pursuant to Ark. Code Ann. Title 14, Chapter 94, because all of the owners of record title as reflected by the deed records in the office of the Circuit Clerk and Ex Officio Recorder of Pulaski County have petitioned for the formation of this district, and

WHEREAS, the City Council of the City of Bryant, Arkansas has heard all the parties desiring to be heard, and has ascertained that said petitions were signed by all the owners of real property within said territory, now, therefore,

IT IS ORDAINED by the Board of Directors of the City of Bryant, Arkansas:

**Section 1.** There is hereby established a municipal property owners improvement district embracing the property in the City of Bryant, State of Arkansas, described in the attached Exhibit A, for the purposes of purchasing, accepting as a gift, and constructing facilities for underground trenches, and excavations necessary for the installation of a forced main sanitary sewer line, whether within or outside the boundaries for the Proposed District, together with facilities related to the foregoing; for maintaining the sanitary sewer constructed for the Proposed

District, which shall continue to be owned by the Proposed District and not by the municipality; doing all things now or hereafter permitted under applicable law, including, without limitation, A.C.A. §14-94-110, to be done and performed by municipal property owners= improvement districts.

Said purposes shall be accomplished in the manner and with the materials that the commissioners for the district shall deem to be in the best interest of the district and as specified by law. The cost of the project shall be assessed upon the real property of the district according to the benefits received.

All of the real property in the district lies within the city of Bryant, Arkansas. Simmons Bank, the only mortgagee encumbering the property was given notice of the hearing as required by ACA 14-94-106(a)(2) and no objection to formation of the district was made by such mortgagee.

**Section 2.** Said district shall be known as the “Spring Hill Manor Municipal Property Owners’ Sewer Improvement District No. \_\_\_ of Bryant, Arkansas” (the “District”); and Robert Moser, Charles Faulkner and Kandee Moser, who are the persons nominated in the petition, are hereby named commissioners and shall compose the Board of Commissioners of the District.

**Section 3. Emergency.** It is hereby found and declared that an immediate need exists for the improvements described herein. It is, therefore, declared that an emergency exists. This Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
MAYOR ALLEN E SCOTT

ATTEST:

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CITY CLERK SUE ASHCRAFT